

01-05-06

RCE
EW

**Request
For
Continued Examination (RCE)
Transmittal**

Submission (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant
application filed on or after June 8, 1995.
See The American Inventors Protection Action of 1999
(AIPA).

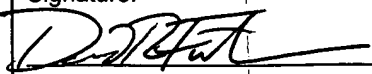
Mail to: Mail Stop RCE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/781,374
Filing Date	February 18, 2004
First Named Inventor	Brian A. Franchuk
Group Art Unit	2666
Examiner Name	Duong, Frank
Attorney Docket No.	E252.12-0006
Express Mail No.	EV 485712380 US

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes of Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
 - a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. Other
 - b. X Enclosed
 - i. X Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other
2. Miscellaneous
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - b. Other
3. Fees (The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed)
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0982.
 - i. RCE fee required under 37 C.F.R. § 1.17(e) 01/06/2006 BABRAHA1 00000069 10781374
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 790.00 00
 - iii. Other
 - b. X Check in the amount of \$790.00 enclosed

Atty Name and Reg. No.	David R. Fairbairn 26,047	Signature: 	Date: <u>1/4/06</u>
Address	Kinney & Lange, P.A. THE KINNEY & LANGE BUILDING 312 South Third Street Minneapolis, MN 55415-1002		
Telephone	(612) 339-1863		
Fax	(612) 339-6580		



OFFICE TRANSMITTAL

Complete if Known

Application No. 10/781,374
Filing Date February 18, 2004
First Named Inventor Brian A. Franchuk
Group Art Unit 2666
Examiner Name Duong, Frank
Atty: Docket Number E252.12-0006

Total Amount of Payment \$790.00

METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No. 11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed.

2. ☒ Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Appn. Type	FILING FEE FEE/SMALL	SEARCH FEES FEE/SMALL	EXAM FEES FEE/SMALL	FEES
Utility	300 / 150	500 / 250	200 / 100	—
Design	200 / 100	100 / 50	130 / 65	—
Reissue	300 / 150	500 / 250	600 / 300	—
Provisional	200 / 100	-0 / -0-	-0 / -0-	—

Subtotal (1) \$0

2. EXTRA CLAIM FEES

	Number Claims	Prior**	Extra	Fee from Fee Paid Below
Total	21	21	= 0	x 0 = 0
Indep.	4	4	= 0	x 0 = 0
Multiple Dependent Claims			*	= *

**Insert 3 and 20, or number previously paid if greater; Reissue see below

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent Claim
1204	200	2204	100	Reissue Independent Claims
1205	50	2205	25	Over Original Patent
				Reissue claims in excess of 20 and over original patent

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 small) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R. 1.16(s).

\$0

Subtotal (2) \$0

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee paid
1051	130	2051	65	Surcharge - Late filing fee or oath	*
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	*
1053	130	1053	130	Non-English specification	*
1812	2,520	1812	2,520	For Filing a Request for Reexamination	*
1251	120	2251	60	Extension for reply within first month	*
1252	450	2252	225	Extension for reply within second month	*
1253	1,020	2253	510	Extension for reply within third month	*
1254	1,590	2254	795	Extension for reply within fourth month	*
1255	2,160	2255	1,080	Extension for reply within fifth month	*
1402	500	2402	250	Filing a brief in support of an appeal	*
1403	1,000	2403	500	Request for oral hearing	*
1814	130	2814	65	Terminal Disclaimer Fee	*
1452	500	2452	250	Petition to revive - unavoidable	*
1453	1,500	2453	750	Petition to revive - unintentional	*
1501	1,400	2501	700	Utility/Reissue issue fee	*
1502	800	2502	400	Design issue fee	*
1460	130	1460	130	Petitions to the Commissioner	*
1807	50	1807	50	Petitions related to provisional applications	*
1806	180	1806	180	Submission of Information Disclosure Statement	*
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	*
1801	790	2801	395	Request for Continued Examination (RCE)	790

Other fee (specify) _____

Subtotal (3) \$790

Signature David R. Fairbairn

Reg. No. 26,047

Date 1/4/06

Deposit Account No. 11-0982